



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 6 2007

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Polly Cross
Consumer Protection Specialist
Wyoming Department of Agriculture
2219 Carey Ave
Cheyenne, WY 82002-0100


Subject: Special Local Need Registration (control lygus bugs, weevils, aphids, and spider mites on alfalfa seed)
Brigade 2EC Insecticide/Miticide
EPA Registration No. 279-3313
EPA SLN No. WY070006
Your Submission Dated July 12, 2007

Dear Ms. Cross:

This will acknowledge receipt of your notification dated July 12, 2007 to this Agency of amended registration, pursuant to section 24(c) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as follows:

Product:	Brigade 2EC
EPA Registration No.:	279-3313
EPA SLN No.:	WY070006
24(c) Registrant:	FMC Corporation 10100 N Ambassador Dr., Suite 305 Kansas City, MO 64153

If you have any questions, please call BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

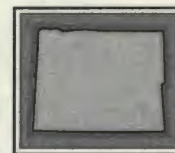
RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms.

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certificate

EPA SLN No. WY- 070006

EPA REG. No. 279-3313



FOR DISTRIBUTION AND
USE ONLY WITHIN THE
STATE OF WYOMING

Brigade[®] 2EC
Insecticide/Miticide

FOR EMERGENCY CALLS: 800 - 331 - 3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN
A MANNER INCONSISTENT WITH ITS LABELING

Crop	Pest	Rate of Application
Seed Alfalfa	Lygus Bugs Weevils Aphids Spider Mites	3.9 TO 6.4 ounces per acre

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Brigade 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or a minimum of 20 gallons of water per acre by ground equipment.

RESTRICTIONS:

Do not apply product when weather conditions would favor drift or run-off from a proposed treatment site into fish bearing waters.

Do not apply more than 0.3 lb. active ingredient per acre per season or make more than 3 applications/season.

Do not apply Brigade 2EC or allow it to drift to blooming crops or weeds while bees are actively foraging in the treatment area. Do not cut current year's treated Alfalfa Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed crop.

Treated Alfalfa Seed is not to be used for sprouting. All Alfalfa Seed treated with Brigade 2EC is to be tagged at the conditioning plant, "Not for Human or Animal Consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed crop treated with Brigade 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Brigade 2EC treated Alfalfa Seed screenings must be removed from the feed market.

Do not apply within 500 feet of water bodies containing fish or aquatic invertebrates.

Do not make aerial or ground applications during temperature inversions. See page 2 for additional spray drift precautions.

Make aerial or ground applications when the wind velocity favors on target disposition (approximately 3-10mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph. Inclusion of a compatible drift reducing agent is encouraged.

Refer to the EPA registered label for information on chemigation.

For use only on fields in production of alfalfa seed. Not for use on fields producing alfalfa for livestock feed.

FMC

FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103
24(c) Registrant:

Brigade2EC_24c_WY_alfalfa_06-12-2007

Brigade and FMC FMO trademarks
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SPRAY DRIFT PRECAUTIONS:

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

Use the largest droplet size consistent with good pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure.

Spray should be released at the lowest height consistent with pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Risk of exposure to aquatic areas can be reduced by avoiding application when wind direction is toward the aquatic area.

Do not cultivate within 10 feet of the aquatic area so as to allow growth of a vegetative filter strip.

Low humidity and high temperature increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperature with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

Do not apply using ultra low volume (ULV) application.

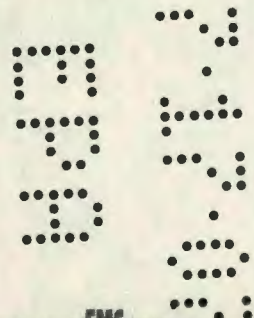
For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. The minimum practical boom length should be used and must not exceed 75% of wing span or rotor diameter.

ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED. PERSONAL PROTECTIVE EQUIPMENT AND RESTRICTED ENTRY INTERVALS ON THIS 24C OR ON THE BASIC LABEL MUST BE FOLLOWED. THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.



FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Brigade2EC_24c_WY_alfalfa_06-12-2007



Brigade and FMC FMC Trademarks
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24(C) CHECKLIST

STATE: <u>WYOMING</u>	SLN NO. <u>WY 070006</u>
DATE REGISTERED: <u>07-12-07</u>	90-DAY DATE: <u>10-12-2007</u>
SPECIFIC SPECIAL LOCAL NEED: _____	SITE: _____
_____	PEST/PROBLEM: _____
_____	_____

1. Is the State certified to issue this type of registration? _____
2. Was the EPA Application/Notification Form submitted? _____
3. Was all the required information included on the form? _____
4. Was a confidential formula submitted (for new products)? _____
5. Is this registration for a "CHANGED USE PATTERN"? _____
6. Has an FR document been prepared for this "CHANGED USE PATTERN"? _____
7. Tolerances required? _____ Established? _____ Citation: _____
8. Full labeling being used? _____ Supplemental directions? _____
9. Does label state "FOR DISTRIBUTION AND USE ONLY WITHIN (State)"? _____
10. Does full label comply with 40 CFR 162.10, as follows:
- a. Product name, brand or trademark? _____
 - b. Name and address of registrant? _____
 - c. Net contents? _____
 - d. Product registration number? _____
 - e. Producing establishment number? _____
 - f. Ingredient statement? _____
 - g. Precautionary labeling? _____
 - h. Directions for use for special local need? _____
 - i. Use classification? _____

Was proper format followed? _____

11. Is supplemental directions for use labeling satisfactory? _____
12. Was supplemental labeling compared with EPA-registered label? _____

COMMENTS: _____

1. SLN No. W407006 2. PM 13 3. Action Code _____

4. State Issue Date

0	7	1	2	0	7
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5. Date received by EPA

0	7	1	7	0	7
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6. Date received by PM

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7. Chemical name _____

8. Chemical code _____

9. Use _____

10. Reviews requested:

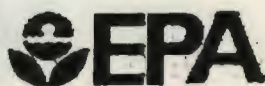
	Date Sent	Due Date	Date Returned	Response Code	Response Date
HED					
EEB					
ROB					
EEB					
IB					
RD					
PM					
S					
Precaution Labeling					
Chemistry					
Efficacy					

11. Status _____

12. FINAL ACTION: Response code _____

Response Date

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United States Environmental Protection Agency
Office of Pesticide Programs
Registration Division (TS-767)
Washington, DC 20480

**Application for/Notification of State Registration
of a Pesticide To Meet a Special Local Need**
(Pursuant to Section 24(C) of the Federal Insecticide,
Fungicide, and Rodenticide Act, as Amended)

For State Use Only
Registration No. Assigned
WY-07-0006
Date Registration Issued
7/12/07

1. Name and Address of Applicant for Registration FMC Corporation 10100 N Ambassador Dr., Suite 305 Kansas City, MO 64153		2. Product Is (Check one) EPA-Registered <input checked="" type="checkbox"/>		EPA Registration Number 279-3313
4. Product Name Brigade 2EC Insecticide/Miticide		New (not EPA-registered) <input type="checkbox"/> Attach EPA Form 8570-4, Certified Statement of Formula, for new products.		EPA Company Number 279
3. Active Ingredient(s) in Product Bifenthrin				
6. Type of Registration (Give details in Item 12 or on a separate page, properly identified and attached to this form): a. To permit use of a new product. <input type="checkbox"/> b. To amend EPA registrations for one or more of the following purposes: <input checked="" type="checkbox"/> (1) To permit use on additional crops or animals. <input type="checkbox"/> (2) To permit use at additional sites. <input type="checkbox"/> (3) To permit use against additional pests. <input type="checkbox"/> (4) To permit use of additional application techniques or equipment. <input type="checkbox"/> (5) To permit use at different application rates. <input type="checkbox"/> (6) Other (specify below)		5. If this is a food/feed use, a tolerance or other residue clearance is required. Cite appropriate regulations in 40 CFR Part 180, 21 CFR Part 193, and/or 21 CFR Part 561. 180.442 (Not a food use)		
7. Nature of Special Local Need (Check one) a. <input type="checkbox"/> There is no pesticide product registered by EPA for such use. b. <input checked="" type="checkbox"/> There is no EPA-registered pesticide product which, under the conditions of use within the State, would be as safe and/or as efficacious for use within the terms and condition of EPA registration. c. <input type="checkbox"/> An appropriate EPA-registered pesticide product is not available.		8. If this registration is an amendment to an EPA-registered product, is it for a "changed use pattern" as defined in 40 CFR 162.3(k)? <input type="checkbox"/> Yes (discuss in item 12 below) <input checked="" type="checkbox"/> No		
10. Has a FIFRA Section 24(C) registration for this use of the product ever, by another State been (Check applicable box(es)) <input checked="" type="checkbox"/> Sought <input checked="" type="checkbox"/> Issued <input type="checkbox"/> Denied <input type="checkbox"/> Revoked If any of the above are checked, list States in item 12 below. <input type="checkbox"/> No FIFRA Section 24(C) Action		9. Has an EPA Registration or Experimental Use Permit for Use of this chemical ever been: (Check applicable box(es)) <input checked="" type="checkbox"/> Sought <input checked="" type="checkbox"/> Issued <input type="checkbox"/> Denied <input type="checkbox"/> Cancelled <input type="checkbox"/> Suspended Previous Permit Action: <input type="checkbox"/> Registration <input type="checkbox"/> Experimental Use Permit <input type="checkbox"/> No Previous Permit Action		
11. Endangered Species Act- (Give details in Item 12 or on a separate page, properly identified and attached to this form) Identify the counties where this pesticide will be used. If Statewide, indicate "all." Provide a list of Federally protected endangered/threatened species which occur in the areas of proposed use.		12. Comments (10) This same 24(c) already exist in Wyoming this is a Me-Too 24(c) SLN No. WY-030001 for an alternate brand name product. This same 24(c) exist in OR, ID, UT and being added in other states as well. (11) All Counties in Wyoming where Alfalfa is grown only for seed. (8) This use pattern allows the use of Brigade 2EC on Alfalfa grown for seed only.		
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. Signature of Applicant or Authorized Representative Don Johnson		Determination by State Agency This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA as amended. To the best of our knowledge, the information above is correct, except as noted in "Comments" below or in attachments.		
Title State Registration Manager		Comments (by State Agency Only) FMC no longer produces Capture2EC. This product is intended to replace the still existing need for a comparable product.		
Telephone Number (816) 801 - 5613		Date June 12, 2007		
Name, Title, and Address of State Agency Official Polly Cross Wyoming Department of Agriculture 2219 Carey Ave Cheyenne, WY 82002-0100		Received by EPA		
Title Consumer Protection Specialist				
Telephone Number 307-777-6573		Date 7/12/07		

UNIVERSITY
OF WYOMING

College of Agriculture

DEPARTMENT OF PLANT SCIENCES

Seed Certification Service

Cooperating with Wyoming
Crop Improvement Association

P.O. Box 983 • Powell, WY 82435
Ph. (307) 754-9815 • Fax (307) 754-9820
email: mdmoore@uwyo.edu

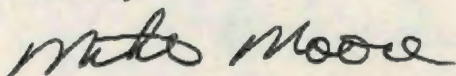
7/12/2007

Don Johnson
FMC State Registration

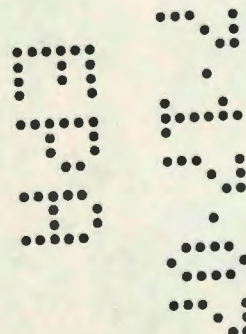
Dear Don,

I respectfully request and support the issuance of a 24(C) label for Brigade 2EC insecticide for use in alfalfa seed in Wyoming. The Wyoming alfalfa seed industry has been over 10,000 acres in recent history, and is approaching that level once again. Tools such as Brigade will be important, if not critical, to the success of this crop, and your assistance in obtaining a 24(C) is greatly appreciated.

Sincerely,



Mike Moore, Manager
Wyoming Seed Certification Service



FMC Corporation

Agricultural Products Group
10100 N Ambassador Dr.
Suite 305
Kansas City, MO 64153
816 801 5613



June 12, 2007

Ms. Polly Cross, Product Registration Specialist
Wyoming Department of Agriculture
Registrations
2219 Carey Avenue
Cheyenne, WY 82002-0100

Dear Ms. Cross:

SUBJECT: Submission Package for SLN 24(c) for the Use of Brigade 2EC
Insecticide/Miticide, EPA Reg. No. 279-3313, on Seed Alfalfa in the State of Wyoming.

FMC is respectfully submitting for your review and approval an application SLN 24(c) label to allow the use of Brigade 2EC Insecticide/Miticide, EPA Reg. No. 279-3313, on seed alfalfa in the Great State of Wyoming. This is a Me-Too SLN submission to the Capture 2EC Insecticide/Miticide, EPA Reg. No. 279-3069, SLN WY-030001 which already exists in Wyoming. FMC will no longer produce the brand name product Capture 2EC Insecticide/Miticide. The product is now called Brigade 2EC Insecticide/Miticide and is the product brand FMC will supply for bifenthrin in the market.

Included in this package are:

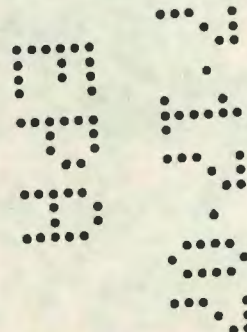
1. Cover Letter
2. EPA Section 24(c) Application (Faxed)
3. Proposed Label

Once this application is approved FMC would only maintain the original Capture SLN until the 2008 EPA Maintenance fees are paid at which time the Capture SLN would be cancelled at the State and Federal levels. Should you need additional information please contact me at 816 - 801 - 5613 or don.johnson@fmc.com.

Sincerely yours,

A handwritten signature in black ink that reads "Don Johnson". The signature is written in a cursive, flowing style.

Don Johnson
FMC State Registration/California Regulatory Manager





Wyoming Department of Agriculture

2219 Carey Ave., Cheyenne, WY 82002 ■ Phone: 307-777-7321 ■ Fax: 307-777-6593
E-mail: wda1.state.wy.us ■ Website: wyagric.state.wy.us

Dave Freudenthal, Governor

John Etchepare, Director

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District 7

Arlene Brown

July 12, 2007

TO: Document Processing Desk (SLN)
Office of Pesticide Programs – H7504C
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave N.W.
Washington, DC 20460

EPA Region VIII

FROM: Polly Cross
Wyoming Department of Agriculture

SUBJECT: 24 (c) Registrations

Pursuant to Section 24 (c) of FIFRA, the Wyoming Department of Agriculture has approved the following SLN registration:

Product: Brigade 2EC Insecticide/Miticide

EPA Regs. No. 279-3313

Registrant: FMC Corporation Agricultural Products Group

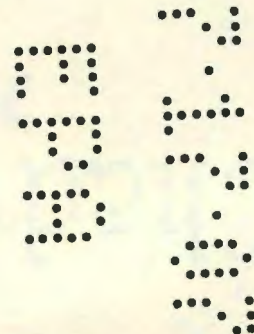
WY SLN No (s): 07-0006

Issue Date: 7/12/07

Expiration Date: 7/12/12

Purpose/Remarks: For the control of lygus bugs, weevils, aphids and spider mites in alfalfa grown for seed.

Cc: Don Johnson, FMC Corporation Agricultural Products Group
Mike Moore, Manager, Wyoming Seed Certification Service
Gary White, Allied Seed
Hank Uhden, Wyoming Department of Agriculture



The Wyoming Department of Agriculture

is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

July 18, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Wyoming Department of Agriculture
2219 Carey Ave.
Cheyenne, WY 82002-0100

ATTN: Polly Cross, Specialist

Dear State Agency:

The Office of Pesticide Programs acknowledges receipt of the Section 24(c) application/notification for WY070006.

The package is being forwarded to the Product Manager for review.

To ensure that the Agency receives proper notification of your 24(c) applications/notifications it is necessary to us the correct mailing address. All new 24(c) applications should be sent to the following:

Document Processing Desk (SLN)
Office of Pesticide Programs -7504P
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

If you have any questions concerning the administrative screening of the package please contact the Front End Unit at (703)305-5780.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Pinner".

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division